



Attorney's Docket No. 4456.P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Richard A. Halavais, et al

Serial No. 09/295,577

Filed: April 22, 1999

For: Individual Seat Selection Ticketing and
Reservation System

Examiner: Gilligan, Christopher L.

Art Unit: 3626

DECLARATION PURSUANT TO 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. The Ritz Theatre a customer of MS Integrate from April 2002 to October 2005, selected MS Intergate and the CyberSEATS™ software to provide ticketing services over the Internet to our customers.

2. CyberSEATS™ was chosen because its software allows us to provide ticket services to our customers where the customer is able to view the actual seats that are currently available and select the exact seat or seats that the customer desires. Other competing software at the time our company selected CyberSEATS™ only allowed users to select seating sections and did not allow a user to select a specific seat or view all of the available seats individually. An additional factor in choosing CyberSEATS™ was

that it allows our customers to view and select seats through a web browser and does not require that the customers obtain a specialized proprietary software application provided by MS Intergate, our company or any other company to be able to obtain tickets. These factors provided a superior ticket vending experience to our customers, which was not possible to obtain through competing products at the time.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issued thereon.

Respectfully submitted,

Dated: 10-13-06

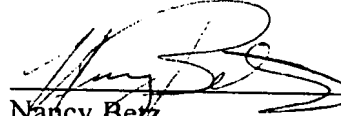

Nancy Betz
Business Manager

EXHIBIT D